IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE G. BIKSHAPATHY

and
THE HON'BLE MR JUSTICE P.S.NARAYANA

WRIT PETITION No: 7531 of 2005

Between:

M. Gangadharam, S/o. Sri M. Krishnaiah,
Superintending Engineer (R & B), R/o. at Hyderabad.

..... PETITIONER

AND

1 The Government of A.P., rep. by its Secretary to Government, Transport, Roads & Buildings Department, Hyderabad.
2 The Engineer-in-Chief (R & B), Administration, Errummanzil, Hyderabad.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue a Writ of Certiorari or any other appropriate Writ, Order or direction, calling for the records relating to M.A. No. 688 of 2005 and O.A.No.6114 of 2004 on the file of the A.P. Administrative Tribunal, Hyderabad, and direct the 1st respondent to allot the applicant the correct slot i.e., Slot No.8 (an ST vacancy) in the original panel of E.Es. fit for promotion as S.Es. for the panel year 2002-2003 approved in G.O.Ms.No.31, TR & B dt. 13.3.2003 read with G.O.Ms.No. 121, TR & B dt. 30.8.2004 as guaranteed under Article 16(4A) of the Constitution of India read with the policy enunciated in G.O.Ms.No.5, Social Welfare Department dt. 14.2.2003, read with G.O.Ms.No. 21, SW department dt. 18.3.2003 and G.O.Ms.No.2, SW Department dt. 9.1.2004, with all consequential benefits and pass such other orders as may be deemed fit in the circumstances of the case.

Counsel for the Petitioner: MR.C.SRINIVASA BABA

Counsel for the Respondents: GP FOR SERVICES I

The Court made the following:

ORAL ORDER:- (PER GB,J.)

The Writ Petition is filed against the order, dated 29.03.2005, passed by the A.P. Administrative Tribunal in M.A.No.688 of 2005 in O.A.No.6314 of 2004.

2. The petitioner filed O.A.No.6314 of 2004 and the same was pending before the Tribunal. In the meanwhile, he also filed M.A.No.688 of 2005 and the Tribunal directed to post the matter after two weeks by order, dated 29.03.2005. Against the said order, the present Writ Petition has been filed.

3. Learned counsel for the petitioner submits that the Tribunal ought to have passed

the orders allotting slot No.8 in the review panel prepared in G.O.Ms.No.121, TR&B, dated 30.08.2004, taking into consideration, the clause (b) of Para No.12 of G.O.Ms.No.2, Social Welfare (SW.ROR.1) Department, dated 09.01.2004, and therefore, he seeks appropriate directions.

4. We are afraid we cannot accept this contention raised by the learned counsel for the petitioner.

5. Since the matter is already pending in the Tribunal, it is for the Tribunal to dispose of the same as early as possible. Under those circumstances, we are not inclined to interfere with the matter and direct the Tribunal to dispose of the O.A. as well as the M.A. within a period of six weeks from the date of receipt of a copy of this order.

6. With the direction indicated above, the Writ Petition is disposed of. No costs.

7. However, it is made clear that if Slot No.8 in the review panel prepared in G.O.Ms.No.121 is not filled up, it shall be kept vacant until disposal of the O.A.

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G. BIKSHAPATHY, J

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P.S. NARAYANA, J

Date: 07.04.2005

ES

To

1 The Secretary to Government, Government of A.P., Transport, Roads & Buildings Department, Hyderabad.
2 The Engineer-in-Chief (R & B), Administration, Errummanzil, Hyderabad.

3 2 CCs to the G.P. for Services-I, High Court of A.P., Hyderabad (OUT)

4 2 CD copies